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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/685,421	10/16/2003	Yoichi Yamagishi	00862.002794.1	5837
5514	7590	04/18/2005	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO			JONES, PRENELL P	
30 ROCKEFELLER PLAZA				
NEW YORK, NY 10112			ART UNIT	PAPER NUMBER
			2667	

DATE MAILED: 04/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/685,421

Applicant(s)

YAMAGISHI, YOICHI

Examiner

Prenell P Jones

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 18-20 is/are allowed.
- 6) ☒ Claim(s) 21-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/16/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hoffman et al in view of Kawakami et al.

Regarding claims 21-23, Hoffman discloses (page 334 & 335) the use of a serial bus in a multimedia environment that includes managing multimedia data connections, such as, video/image data, wherein the architecture includes a plurality of devices are interconnected via serial bus, (page 336, left column, 2nd full paragraph-6th full paragraph) serial bus provides two types of data transfer (isochronous channels and asynchronous channels) which is used for transmitting data between devices associated with (page 336, right column) digital video camera

system, serial bus management, (page 337, left column thru right column) sender request (one of plurality of interconnected devices) request an isochronous channel, receiver accepts channel ID's associated with senders (another of plurality of devices) request 1394 serial bus video conference system, and serial bus includes audio/video channels. Hoffman is silent on device changing mode operation according to channel usage. In a communication system that utilizes serial bus architecture, Kawakami discloses (col. 4, line 38-67) employing serial bus architecture that includes a plurality of audio/video devices/nodes, (col. 2, line 41 thru col. 3, line 28, col. 7, line 25-67, col. 10, line 11-20) when a channel is obtained the transmitter node enters a protected mode, (col. 11, line 22-43) automatic resetting protected-state transmitter node to the protected-cancelled state whenever a bus reset occurs (channel adjustment). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to be motivated to implement changing the state (mode) of at least one of the plurality of devices as associated with a channel as taught by Kawakami with the teachings of Hoffman for the purpose of further managing data connections in a communication environment.

Allowable Subject Matter

1. Claims 18-20 are allowed over prior art.
2. The following is an examiner's statement of reasons for indicating allowable subject matter: Although the combined cited prior art discloses controlling a video conferencing system whereby the architecture includes multiple workstations in a LAN that monitor channel allocation, data messages that control transmission of television signals, and reallocation of channels, they fail to teach or suggest reassigning a part of a plurality of unused channels if a number of requested channels does not exceed the number of unused channels, and

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communicating in the first step increasing a number of channels to be used for re-assigning of channels if a number of requested channels exceeds the number of unused channels.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prenell P. Jones whose telephone number is 571-272-3180. The examiner can normally be reached on 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Prenell P. Jones



April 4, 2005



CHI PHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800

4/11/05